



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	SB0156	Title:	Sex offender accountability act
Primary Sponsor:	Perry, Gary L	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$151,684	\$456,342	\$761,001	\$1,065,659
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$151,684)</u>	<u>(\$456,342)</u>	<u>(\$761,001)</u>	<u>(\$1,065,659)</u>

Description of fiscal Impact:

This bill would permit county attorneys to prosecute a youth age 16 or older as an adult for the crime of sexual assault. The penalties for sexual intercourse without consent and sexual abuse of children when the victim is less than 12 years old would be increased to 25 years without the possibility of parole followed by lifetime probation.

FISCAL ANALYSIS

Assumptions:

1. This law imposes a mandatory minimum term of 25 years for those convicted of sexual intercourse without consent and sexual abuse of children when the victim is less than 12 years of age.
2. An increase in cost will occur in the first five years due to probationers who will be sentenced to prison on the first offense under this bill. The Department of Corrections estimates 11 probationers will be sentenced to prison in FY 2008 and an additional 11 in FY 2009, 2010 and 2011. Using the current DOC cost per day of \$75.88, the FY 2008 cost is estimated to be \$151,684.12, \$456,342.32 in FY 2009, \$761,000.52 in FY 2010 and \$1,065,658.72 in FY 2011.

3. The current average sentence for offenders convicted of these sex offenses is five years. An additional increase in cost for offenders already in prison for these offenses will occur after five years. Lifetime probation will not occur until 2033.
4. Long-term impact of sentencing sex offenders to a minimum 25 year sentence is \$10,319,908 by FY 2017.
5. Under this bill, an additional 11 offenders between the ages of 16 and 18 could be sentenced as an adult instead of a juvenile for the crime of sexual assault. There is no way to determine how many of those offenders sentenced as a juvenile would be sentenced as an adult because it is at the court's discretion.

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$151,684	\$456,342	\$761,001	\$1,065,659
<u>Funding of Expenditures:</u>				
General Fund (01)	\$151,684	\$456,342	\$761,001	\$1,065,659
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$151,684)	(\$456,342)	(\$761,001)	(\$1,065,659)

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date